

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

#A8
 09/10/99
 PATENT
 APPLICATION

In re PATENT APPLICATION of
 Inventor(s): ZEICHER

Appln. No.: 08 | Series Code ↑

Filed: February 27, 1997

Title: NUCLEOTIDE SEQUENCE FOR TREATING CANCER...

Asst. Commissioner of Patents
 and Trademarks
 Washington, D.C. 20231

Sir:

1. **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated March 9, 1999 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.

2. **BRIEF** on appeal in this application attached in triplicate.

3. An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)

4. Reply Brief is attached in triplicate (due two months after Examiner's Answer – unextendable).

5. "Small entity" verified statement filed: herewith. previously.

6. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, see box 12 below <u>first</u> and decide:.....enter	\$300/150*	\$150
If box 2 above is X'd, see box 12 below <u>first</u> and decide:.....enter	\$300/150*	\$0
If box 3 above is X'd, see box 12 below <u>first</u> and decide:.....enter	\$260/130*	\$0
If box 4 above is X'd,enter nothing	- 0 - (no fee)	
7. Original due date: June 9, 1999		
8. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached. (1 mo) \$110/\$55 (2 mos) \$380/\$190 (3 mos) \$870/\$435 (4 mos) \$1360/\$680	+435	115/215 116/216 117/217 118/218
9. Enter any previous extension fee <u>paid</u> <input type="checkbox"/> previously since above original due date (item 7); <input type="checkbox"/> with concurrently filed amendment.....	-	
10. Subtract line 9 from line 8 and enter: Total Extension Fee	+435	
11. TOTAL FEE ATTACHED =	\$585	

12. *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

(Our Deposit Account No. 03-3975)

(Our Order No.

70401

236007

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.
 This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

09/10/1999 SLUW61 00000120 08807500

Pillsbury Madison & Sutro LLP

01 FC:219
 02 FC:217

150.00
435.00

Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments